

REMARKS/ARGUMENTS

Claims 1-14 presently stand rejected as anticipated pursuant to 35 U.S.C. § 102(e) in view of the disclosure of DeMello et al. (U.S. Patent no. 6,891,953) ("*DeMello*"). Applicants request that the Examiner reconsider the rejection in view of the remarks and amendments contained herein. Applicants submit that the claims are in condition for allowance.

Applicants initially disagree with the Examiner's rejection in view of the lack of reliance on any particular citation of *DeMello* for the majority of elements of Applicants' invention. The Examiner's current rejection still relies on every figure of *DeMello* and all of the "accompanying descriptions" in the text of the patent for the majority of the features of the claims. The Examiner has simply cited the whole document for these features. This does not provide the Applicants with a reasonable opportunity to understand the rejection or the Examiner's position, and thereby deprives the Applicants a fair opportunity to address the rejection. In the event that the Examiner intends to further rely on any prior art to reject any claims, Applicants respectfully request that the Examiner provide more specific citations to the cited prior art for each element of the claim so that Applicant can properly understand the nature and basis of the Examiner's rejection and the reliance on the art.

Nevertheless, Applicants submit that the inventions of the claims herein are not disclosed in the *DeMello* reference. For example, amended claim 1 defines particularly an information processing apparatus for allowing usage of content by requiring a license for using said content. The apparatus comprises:

a content storage unit operable to store  
license-identification information for specifying said

license for using said content, encrypted data of said content and key information required for decrypting said encrypted data of said content;

a license storage unit operable to store said license for using said content, including content-specifying information for specifying said content and terminal-identification information which identifies the information processing apparatus, the use of which is allowed by said license;

a judgment unit operable to determine whether said license for using said content has been stored in said license storage unit;

a decryption unit operable to decrypt said encrypted data of said content if said license for using said content has been stored in said license storage unit;

a device-node-key storage unit operable to store a device node key which is assigned the information processing apparatus from the license server when registering, wherein said key information includes an EKB (Enabling Key Block); and

said decryption unit is operable to decrypt said EKB (Enabling Key Block) using said device node key to obtain a root key, and to decrypt said data of said content using said root key.

As discussed in an example embodiment of the specification, Applicants' apparatus involves two kinds of data for using content, service data corresponding to a client and a license data corresponding to the content. The specification recites that "the client 1 acquires beforehand service data cataloged in advance in the license server 4. The service data

includes a leaf ID, a *DNK* (Device Node Key), a pair of secret and disclosed keys pertaining to the client 1, a disclosed key of the license server 4 and certificates for the disclosed keys." Specification at ¶ 112 (*italics added*). The license data corresponding to the content includes a leaf ID which identifies a device at a node of a tree structure as illustrated in the example of FIG. 8. When a client uses the content, the license data having the terminal identification information is used for checking usage rights while the service data including the device node key is used in decrypting content. See, e.g., Specification ¶ 121.

As recited in the above listed claim, Applicant's invention is not disclosed in the relied upon *DeMello* reference. For at least this reason, Applicants' submit that claim 1 contains subject matter not disclosed or obvious over the teachings of *DeMello*. Thus, claim 1 is in condition for allowance.

Applicants further suggest that the subject matter of claim 1 may be compared with independent claims 9, 10, 12 and 14. Simply put, *DeMello* does not disclose Applicant's inventions with respect to at least the subject matter recited in these independent claims.

Finally, while Applicant further disagrees with aspects of the rejections of the remaining claims that depend from claim 1, 9, 10, 12 and 14, Applicant submits that the proper allowance of these independent claims similarly requires allowance of their dependent claims.

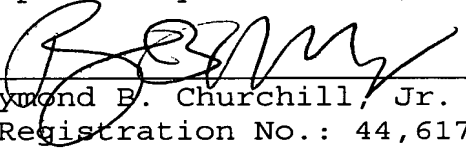
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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